

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

JUN 19 2004 A.M. 30

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FRANK SACO
Plaintiff

* C.A. NO.: 03-12551-NG MASS.

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v.

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TUG TUCANA and
TUG TUCAN CORPORATION
Defendants

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PLAINTIFF'S SCHEDULING STATEMENT

The plaintiff in the above captioned action hereby submits its proposed Scheduling Statement in accordance with the Notice of Scheduling Conference and pursuant to the provisions of Fed. R. Civ. 16(b) and Local Rule 16.1(B) of the U.S. District Court for the District of Massachusetts.

Counsel for the parties have conferred in accordance with the provisions of Local Rule 16.1 (B) but have not been able to reach an agreement.

I. **DISCOVERY PLAN**

A. Plaintiff has responded to defendant's interrogatories and requests for production of documents. Plaintiff has served interrogatories and requests for production of documents on defendant who has failed to respond. Plaintiff has granted a 30 day extension for defendant to respond to discovery requests and it is anticipated that all written discovery will be concluded by June 21, 2004.

Factual depositions should be concluded by August 1, 2004.

B. Plaintiff's designation of experts and disclosure of expert reports and documents to be completed by October 1, 2004.

C. Defendant's designation of experts and disclosure of expert reports and documents to be completed by November 1, 2004.

D. All expert depositions should be completed by December 1, 2004.

E. Final Pretrial Conference to be scheduled after December 1, 2004.

II. MOTION SCHEDULE

A. Motions to amend the pleadings, to add parties or to set forth additional claims to be filed on or before June 30, 2004.

B. Dispositive motions to be filed by December 1, 2004.

III. CERTIFICATION

The plaintiff has complied with the Local Rules and filed its 16.1 (D)(3) Certification.

IV. TRIAL BY MAGISTRATE JUDGE

Plaintiff reserves the right to make this decision at a later date.

V. SETTLEMENT

Plaintiff is preparing a settlement demand to the defendant.

Respectfully submitted,
PLAINTIFF
By its Attorney,

David B Kaplan
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by mail (by hand) on 5-18-04

David B Kaplan